

JC20 Rec'd PCT/PTO 29 MAR 2002

FORM PTO 1390 (REV 9-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER G0365.0355/P355
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/089312</b>
INTERNATIONAL APPLICATION NO. PCT/GB00/03773	INTERNATIONAL FILING DATE October 2, 2000	PRIORITY DATE CLAIMED October 1, 1999	
TITLE OF INVENTION LIPOSOME-ENTRAPPED DNA ORAL VACCINES			
APPLICANT(S) FOR DO/EO/US Gregory Gregoriadis, et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing 35 U.S.C. 371</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol>			
<b>Items 11 to 20 below concern document(s) or information included:</b>			
<ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: PCT International Search Report</li> </ol>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.21) <b>10/087312</b>	INTERNATIONAL APPLICATION NO PCT/GB00/03773	ATTORNEY'S DOCKET NUMBER G0365.0355/P355																																																																
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of \$ _____ for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).		<b>CALCULATIONS PTO USE ONLY</b>          <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;">\$ 890.00</td> <td style="width: 40%; border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>	\$ 890.00		\$																																																													
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a. <input checked="" type="checkbox"/> A check in the amount of \$ 930.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to my Deposit Account No. 04-1073 . A duplicate copy of this sheet is enclosed.																																																																		
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>DICKSTEIN SHAPIRO MORIN &amp; OSHINSKY LLP 1177 Avenue of the Americas New York, NY 10036-2714 (212) 835-1400</p>																																																																		
<div style="display: flex; justify-content: space-between;"> <div> <p>SIGNATURE: </p> <p>NAME: Mark J. Thronson</p> <p>REGISTRATION NUMBER: 33,082</p> </div> </div>																																																																		

100593110/089312

JC15 Rec'd PCT/PTO 29 MAR 2002

Docket No.: G0365.0355/P355  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Gregory Gregoriadis, et al.

Application No.: Not Yet Assigned

Group Art Unit: N/A

Filed: Herewith

Examiner: Not Yet Assigned

For: LIPOSOME-ENTRAPPED DNA ORAL  
VACCINES

FIRST PRELIMINARY AMENDMENT

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Preliminary to examination, please amend the above-referenced application as follows:

IN THE CLAIMS:

Cancel claims 2-20 (that is, all pending claims except for independent claim 1), without prejudice.

Application No.: Not Yet Assigned

Docket No.: G0365.0355/P355

**REMARKS**

Claims 2-20 have been canceled, to reduce the filing fee and for other reasons. Claim 1 remains in the application. Applicants reserve the right to pursue the original claims and other claims in this application and in other applications. Favorable action on the application is solicited.

Dated: March 29, 2002

Respectfully submitted,

By 

Mark J. Thronson

Registration No.: 33,082

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

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(212) 835-1400

Attorneys for Applicant

## LIPOSOME-ENTRAPPED DNA ORAL VACCINES

The present invention relates to oral vaccines comprising cationic liposomes and, complexed or entrapped within the liposomes, a gene vaccine, that is a nucleic acid coding for an antigen against which vaccination is desired.

In WO-A-9810748 gene vaccines are described comprising nucleic acid encoding antigen against which vaccination is required, in which the nucleic acid is entrapped within the liposomes. The liposomes are formed from liposome forming components including cationic lipid. The compositions are said to be suitable for administration by, *inter alia*, oral routes but in the examples, the compositions are administered intramuscularly, subcutaneously, intravenously or intraperitoneally.

For a vaccine to generate an immune response following oral administration, the composition must interact with the lymphoid system in the gut. The vaccine must consequently be stable in the GI tract, and must be stable enough to interact with the relevant cells of the system before being destroyed by bile salts. Clearly it is desirable for vaccines to be administratable orally rather than having to be injected. The present invention relates to compositions which are suitable for oral administration and to oral vaccines and methods for vaccinating human or non human animals by oral administration of the vaccines.

According to a first aspect of the invention there is provided a novel vaccine comprising a nucleic acid operatively encoding an antigen complexed with and/or entrapped within liposomes formed from liposome forming components including

- a) at least one cationic compound having the general formula I,
- $$R^1OCH_2CH(OR^2)CH_2R^5X^1R^6_n \quad I$$

in which  $R^1$  and  $R^2$  are the same or different and are selected from groups of the formula  $CH_3(CH_2)_a(CH=CH-CH_2)_b(CH_2)_c(CO)_d-$

in which b is 0 to 6, a and c are each selected from 0-23 and  $(a + c + 3b)$  is in the range 12-23 and d is 0 or 1;

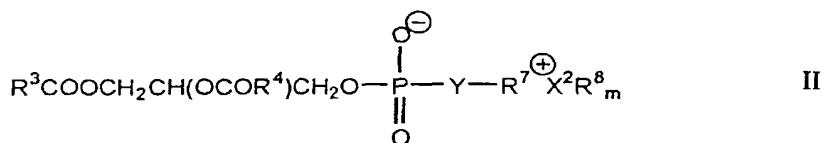
$R^5$  is a bond or a  $C_{1-8}$  alkanediyl group a  $C_{1-4}$  alkoxy -  $C_{1-4}$  alkyl group, or a  $C_{1-8}$  oxy-alkylene group ;

$X^1$  is N, P or S;

n is 3 where  $X^1$  is N or P and is 2 where  $X^1$  is S; and

5 the groups  $R^6$  are the same or different and are selected from hydrogen,  $C_{1-8}$  alkyl,  $C_{6-12}$  aryl or aralkyl, or two or three of the groups  $R^6$  together with  $X^1$  may form a saturated or unsaturated heterocyclic group having 5 to 7 ring atoms;

b) at least one zwitterionic phospholipid having the general  
10 formula II



15 in which  $R^3$  and  $R^4$  are the same or different and are selected from groups of the formula  $CH_3(CH_2)_e(CH=CH-CH_2)_f(CH_2)_g-$

in which f is 0 to 6, each of e and g are 0 to 23 and (e + g + 3f) is in the range 12 to 23;

$R^7$  is a  $C_{1-8}$  alkanediyl group;

20 Y is -O- or a bond;

$X^2$  is N, P or S;

m is 3 when  $X^2$  is N or P and is 2 when  $X^2$  is S; and

the groups  $R^8$  are the same or different and are selected from the group consisting of hydrogen,  $C_{1-8}$  alkyl,  $C_{6-11}$  aryl or aralkyl, or two or three  
25 of the groups  $R^8$  together with  $X^2$  may form a saturated or unsaturated heterocyclic group having 5 to 7 ring atoms;

provided that in at least one of the groups  $R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$ , b or f, as the case may be, is 0.

The composition is preferably an oral vaccine and the invention also  
30 covers methods of administering the vaccine by oral routes. The composition may comprise pharmaceutically acceptable diluents, and may

include components to enhance the immunogenic properties of the vaccine, such as conventional adjuvants.

In the invention the proviso that at least one of the groups  $R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$  should have an saturated long chain alkyl group tends to provide a composition which has a relatively high transition temperature. Thus the liposome forming components, in admixture, should have a transition temperature of at least 37°C, preferably in the range 38 to 50°C.

It is preferred that the groups  $R^1$  and  $R^2$  are the same as one another and that the groups  $R^3$  and  $R^4$  are the same as one another. In general the present inventors have found that it is desirable that either  $R^1$  and  $R^2$  are unsaturated and  $R^3$  and  $R^4$  are saturated, or vice versa. Preferably the cationic compound comprises a single compound of the formula I.

In a particular embodiment of the invention two zwitterionic phospholipids having a different formula, each within formula II, are used in the liposome forming components.

In one embodiment wherein such a mixture is used, in a first zwitterionic phospholipid, the groups  $R^3$  and  $R^4$  are the same and each represent a group, which  $f$  is 1, and in which  $e + g$  is in the range 14 to 20, preferably in the range 14 to 18. Preferably the unsaturated group is midway along  $R^3$  or  $R^4$  that is  $e \approx g$ , preferably  $e = g = 7$ . Usually the ethylenic bond is *cis*.

In a second embodiment wherein a mixture of phospholipids is used in the first phospholipid of a mixture, the groups  $R^8$  are preferably all the same and are preferably hydrogen. In the second phospholipid of the formula II, the groups  $R^8$  are all the same and are  $C_{1-4}$ -alkyl. Often in this embodiment, for both phospholipids,  $f$  is 0.

Generally, in both embodiments using mixtures of phospholipids in both first and second phospholipids,  $Y$  is O and  $X^2$  is N. Furthermore  $R^7$  is preferably  $C_{2-3}$ -alkanediyl.

In the cationic compound of the formula I, the hydrophobic groups  $R^1$  and  $R^2$  may be joined to the rest of the molecule through ether linkages (that is  $d$  is 0) or ester linkages (in which  $d$  is 1). Preferably in compounds of the

formula I,  $R^5$  is  $C_{1-4}$ -alkanediyl. Preferably the cationic compound is permanently cationic, that is substantially fully ionised at all pH's likely to be encountered *in vivo*, in the range 5 to 9. Preferably each of the group  $R^6$  is other than hydrogen, therefore, especially  $C_{1-4}$ -alkyl, most preferably each group  $R^6$  being methyl.

$R^5$  is preferably a bond or a methylene group.

A particularly preferred embodiment of the composition of the invention utilises a cationic compound of the general formula I in which each of the groups  $R^1$  and  $R^2$  is an oleoyl group, and in which the group  $R^5$  is a bond,  $X^1$  is N and each of the groups  $R^6$  is methyl (1, 2-bis(oleoyloxy)-3-(trimethylammonio)propane(DOTAP)). An alternative cationic compound is the analogous compound in the which the hydrophobic oleoyl groups are replaced by oleyl groups i.e. joined through ether linkages rather than ester linkages. A suitable cationic compound in which the hydrophobic groups are saturated is 1, 2-bis(hexadecyloxy)-3-trimethylammino propane(BisHOP).

Suitable zwitterionic phospholipids include dioleoyloxy phosphatidyl ethanolamine (DOPE), dioleoyloxy phosphatidylcholine (DOPC), distearoyl phosphatidyl ethanolamine (DSPE), distearoyloxy phosphatidylcholine (DSPC), dipalmitoyl phosphatidyl ethanolamine (DPPE), dipalmitoyl phosphatidylcholine (DPPC), and admixtures. A particularly preferred zwitterionic phospholipid mixture comprises distearoyl phosphatidylcholine and dioleoyl phosphatidyl ethanolamine.

A mixture of two zwitterionic phospholipids generally comprises the two compounds in weight ratios in the range 10:1 to 1:10, most preferably in the range 5:1 to 1:5, more preferably 2:1 to 1:2. Preferably the proportion of groups  $R^3$  and  $R^4$  which are saturated in a mixture is at least 50%.

Generally the ratio of cationic compound to zwitterionic phospholipid (total) is in the range 10:1 to 1:20, more preferably in the range 5:1 to 1:10, more preferably in the range 1:1 to 1:5.

According to a further aspect of the invention there is provided an oral vaccine comprising a nucleic acid encoding an antigen complexed to and/or entrapped within liposomes formed from liposome forming components



including at least one glycerolipid, at least one cationic compound and at least one zwitterionic phospholipid characterised in that the glycerolipid is an O,O'-dialkanoyl or O,O'-dialkyl phospholipid. Preferably the glycerolipid is a compound of the general formula II above in which, in both R<sup>3</sup> and R<sup>4</sup> is O.

5 In all aspects of the invention it is preferred that the liposome forming components in combination have a transition temperature of at least 37°C. Transition temperatures are determined by differential scanning calorimetry.

In this aspect of the invention the zwitterionic phospholipids preferably comprise a mixture of lipids, for instance a mixture of saturated and unsaturated lipids, and/or a mixture of phosphatidylcholines and phosphatidylethanolamines.

10 The cationic compound is preferably a 2,3-di(acyloxy or alkoxy) substituted propylamine derivative, for instance having the general formula I above. Alternatively the compound may be formed of simple cationic amphiphilic compounds such as mono- or di- stearylamine or other long chain alkyl amine, or the secondary, tertiary or quaternary derivatives thereof having, respectively, one, two or three N-lower alkyl (C<sub>1-4</sub> alkyl) substituents, such as dimethyldioctadecyl ammonium halides. Another category of amphiphilic cationic compounds which are suitable for incorporating into liposomes, is spermine conjugates with di(fatty acyl) glycerides or N,N-di(C<sub>12-24</sub>) alkyl acyl amide compounds or 3β-[N-(N',N'-dimethylaminoethane)-carbonyl]cholesterol (DC chol). A range of suitable cationic amphiphilic compounds are described by Kabanov A.V. *et al* in Bioconjugate Chem. (1995), 6(1), 7-20, the content of which is incorporated herein by reference.

25 According to a further aspect of the invention there is provided an oral vaccine comprising a nucleic acid encoding an antigen complexed to and/or entrapped within liposomes formed from liposome forming components including at least one cationic compound and at least one zwitterionic phospholipid characterised in that the liposome forming components include at least 25 mole%, preferably at least 50 mole%, of components which individually have a transition temperature of more than 40°C.

In this aspect of the invention the effect of using relatively high levels of high transition temperature lipidic components is that the transition temperature of the mixture of liposome for using components will be above 37°C. The transition temperature of a mixture tends to be close to the averaged transition temperatures of the individual components. However it is generally easier to determine the transition temperature of individual components, the values for many of these being known. Preferred high transition temperature zwitterionic phospholipids are DPPC ( $T_c$  41.4°C), DSPC ( $T_c$  55.1°C), DPPE ( $T_c$  64°C) and DSPE ( $T_c$  74.2°C).

In all aspects of the invention other components may be included in the liposome forming mixture, such as cholesterol, in amounts up to 50% by weight. Preferably the liposome forming components are free of cholesterol.

The amount of cationic compound is preferably in the range 5 to 50% of the total moles of liposome forming components, preferably in the range 10 to 25% mole.

The liposome composition is generally in the form of an aqueous suspension for instance, a physiological buffer. Alternatively it could be a dried composition for rehydration.

The liposomes may be made by any of the generally used liposome forming techniques. The product liposomes may be multilamellar or unilamellar vesicles and may be relatively large (vesicle diameters in the range 300 nm to 2000 nm preferably with average diameters in the range 500-1000 nm), or small (vesicle diameters in the range 100 nm to 400 nm preferably with average diameters in the range 200 to 300 nm). Preferably the liposomes have a mean diameter not exceeding 1000 nm, and preferably substantially all have diameters less than 2000 nm. Most preferably the mean diameter is in the range 200-750 nm.

In the novel compositions the nucleic acid may be complexed with liposomes that is located externally of the liposomes. Preferably, however, the nucleic acid is at least partially entrapped.

Preferably the liposomes are formed by a process in which the vesicles are formed, mixed with nucleic acid to be entrapped and are then

dehydrated, preferably by freeze drying, and subsequently rehydrated in aqueous composition to make dehydration-rehydration vesicles (DRV's), optionally the DRV's may be subsequently subjected to microfluidization to reduce the average size. However, preferably the DRV's are not subjected to microfluidisation, or to only one or two cycles of microfluidisation. Preferably the non-entrapped material is separated from liposomes by centrifugation or molecular sieve chromatography, after the rehydration and/or microfluidization steps, although this may be unnecessary.

According to a further aspect of the present invention there is provided a method of entrapping polynucleotide into liposomes involving the steps of:

- i) forming an aqueous suspension comprising naked polynucleotide, which operatively encodes an immunogenic polypeptide useful to induce a desired immune response in a human or animal subject, and preformed liposomes formed of liposome forming components as specified for the novel compositions above,
- ii) freeze drying or spray drying the suspension, and
- iii) rehydrating the product of step ii) to form dehydration/rehydration vesicles.

Further steps which may be carried out but are not essential are:

- iv) subjecting the aqueous suspension of dehydration rehydration vesicles from step iii) to microfluidization to control the size; and/or
- v) optionally separating non entrapped polynucleotide from liposomes.

Step iv) is generally found to be unnecessary since the dehydration rehydration vesicles.

The last step is generally found to be unnecessary, since the external nucleic acid may be partially protected from the environment by being complexed to the cationically charged liposomes.

The dehydration-rehydration of steps are substantially as described by Kirby and Gregoriadis, (1984) *Biotechnology*, 2, 979-984, the content of which is incorporated herein by reference. Thus, the liposomes in step i) are preferably small unilamellar (SUV's) (although they may be MLV's for instance having size 2  $\mu\text{m}$ ) and made in step iii) are preferably multilamellar liposomes (MLV's) respectively. The product liposomes of step iii) are generally called dehydration-rehydration vesicles (DRV's).

Microfluidization of the DRV's is carried out substantially as described in WO-A-92/04009, the disclosure of which is incorporated herein by reference and by Gregoriadis et al, (1990), *Int. J. Pharm.* 65, 235-242. As mentioned above, if microfluidisation is conducted, it is preferred that no more than one of two cycles are conducted.

The present invention does not involve polymerising the liposome forming components to raise the transition temperature. This may reduce the delivery rate of active and is an undesirable extra step in the processing.

By using the DRV technique, inventors have established that up to 90% or even more of the polynucleotide present in the aqueous suspension subjected to the drying step can be entrapped into and/or complexed with the liposomes. The level of polynucleotide entrapment and/or complexing in the liposomal composition is preferably in the range 0.05 to 100, preferably 1 to 50, more preferably 5 to 50  $\mu\text{g}/\mu\text{mole lipid}$ .

The liposome compositions of the invention have been found to be resistant to bile salts and this is believed to correlate with stability in the GI tract.

The nucleic acid active may be RNA, for instance which is directly transcribable and translatable in the synthesis of the antigen, or which must first be reverse transcribed to form DNA for replication. Preferably the nucleic acid is DNA which is preferably replicated, and is transcribed and translated to form the antigen of choice. The DNA is preferably a ds plasmid DNA.

The invention includes also the use of the compositions of liposomes or made by the processes of the invention in the manufacture of a

composition for use in a method of therapy or prophylaxis. For instance the method may be the immunisation (vaccination) of a human or animal subject to protect it against infection by infectious micro organisms. Alternatively an immune response may be generated by the gene product which is useful in immune therapy, for instance to treat cancer or other diseases, including infections.

The invention is illustrated further in the following examples:

#### Example 1

##### Methodology: Oral immunisation experiment 1

#### **Liposome preparation**

Liposomes with the following compositions were prepared using the Dehydration-Rehydration method (DRV);

- 1) 32  $\mu$ moles of egg phosphatidylcholine (PC), (mixture of di fatty acyl phosphatidylcholines, including some saturated groups)  
16  $\mu$ moles of dioleoyl phosphatidylethanolamine (DOPE),  
8  $\mu$ moles of dioleoyl trimethylammonium propane (DOTAP).
- 2) 32  $\mu$ moles of distearoyl phosphatidylcholine (DSPC),  
16  $\mu$ moles of DOPE,  
8  $\mu$ moles of DOTAP.
- 3) 32  $\mu$ moles of DSPC,  
16  $\mu$ moles of cholesterol (CHOL),  
8  $\mu$ moles of DOTAP.

600  $\mu$ g of pRc/CMV HBS plasmid DNA encoding for the S (small) region of Hepatitis B surface antigen (HBsAg; subtype ayw) was entrapped in the above liposome formulations using the following technique.

The dehydration-rehydration procedure (Kirby and Gregoriadis, (1984) *op. cit.*) was used for the incorporation of pRc/CMV HBS plasmid DNA into liposomes. In short, 2 ml of small unilamellar vesicles (SUV) were prepared from the specified liposome forming components mixed with plasmid DNA frozen at -20C and freeze-dried overnight. The liposomes were then subjected to controlled rehydration to generate multilamellar (Gregoriadis et al, (1993) *Biochim. Biophys. Acta* 1147, 185-193)

dehydration-rehydration vesicles (DRV). The product was not subjected to steps to remove non-entrapped DNA and probably includes external DNA complexed to the liposomes. No microfluidisation was conducted.

Entrapment complexation efficiency for each of the compositions was 85-95%, as determined by using  $^{35}\text{S}$ -labelled DNA, produced from  $^{35}\text{S}$ -dATP. The DRV's had mean diameters in the range 550 to 750nm.

### Immunisation

The method is based on Roy, K. *et al* (1999) Nature Medicine 5(4) 387-391.

Groups of 4 female Balb/c mice (20-24g) were immunised orally with either "naked" (group 4) or liposome-entrapped (groups 1-3) DNA using animal feeding needles attached to a 1 ml syringe. Each mouse was fed with 100  $\mu\text{g}$  of DNA in a volume of 500  $\mu\text{l}$  of phosphate buffered saline (PBS) on days 0, 28 and 38.

### Immunisation groups:

- 1) PC:DOPE:DOTAP (100  $\mu\text{g}$  DNA) (invention)
- 2) DSPC:DOPE:DOTAP (100  $\mu\text{g}$  DNA) (invention)
- 3) DSPC:CHOL:DOTAP (100  $\mu\text{g}$  DNA) (invention)
- 4) "Naked" DNA (100  $\mu\text{g}$  DNA) (reference)
- 5) Control (no DNA)

### IgA extraction from foecal pellet

Foecal pellets were collected from the cages of mice on days 0, 14, 21, 32, 40, 48, 62, 84, 96 and 119.

These pellets were suspended in PBS at a concentration of 100 mg/ml, subjected to centrifugation and the supernatant (containing IgA) was analysed.

### ELISA measurements

ELISA was done on foecal extracts to measure secretory IgA. Plates were coated with the S (small) region of Hepatitis B surface antigen (HBsAg; subtype ayw), blocked with 1% BSA to avoid nonspecific binding and then pellet extracts added in duplicate (undiluted). Horseradish peroxidase-

conjugated goat anti-mouse IgA was added, followed by o-phenylenediamine substrate. Absorbance at 450nm was measured. Results in Figures 1a - i represent mean of duplicate measurements for each group of mice.

### Example 2

#### 5 Methodology: Oral immunisation experiment 2

#### **Liposome preparation**

Liposomes with the following compositions were prepared using the Dehydration-Rehydration method (DRV):

- 10 1) 32  $\mu$ moles of DSPC,  
16  $\mu$ moles of DOPE,  
8  $\mu$ moles of DOTAP.
- 2) 32  $\mu$ moles of DSPC,  
16  $\mu$ moles of distearoyl phosphatidylethanolamine (DSPE),  
8  $\mu$ moles of DOTAP.
- 15 3) 32  $\mu$ moles of DSPC,  
16  $\mu$ moles of dipalmitoyl phosphatidylcholine (DPPE),  
8  $\mu$ moles of DOTAP.
- 4) 32  $\mu$ moles of DSPC,  
16  $\mu$ moles of DOPE.

20 pRc/CMV HBS plasmid DNA was entrapped into the above liposome formulations using the same method as Example 1. DRV compositions 1, 2 and 3 entrapped 85 - 95% of the total amount of DNA used. The non-cationic DRV liposomes (composition 4) had an entrapment efficiency of 45-55% (of the total amount of DNA used). The DRV liposome sizes were in  
25 the same range as in Example 1.

#### **Immunisation**

Groups of 4 female Balb/c mice (20-24g) were immunised orally with either "naked" (group 6) or liposome-entrapped (groups 1-5) DNA using animal feeding needles attached to a 1 ml syringe. Each mouse was fed  
30 with either 50  $\mu$ g (group 5) or 100  $\mu$ g (groups 1,2,3,4 and 6) of DNA in a volume of 500  $\mu$ l of PBS on days 0, 32.

**Immunisation groups:**

- 1) DSPC:DOPE:DOTAP (100 µg DNA) (invention)
- 2) DSPC:DSPE:DOTAP (100 µg DNA) (invention)
- 3) DSPC:DPPE:DOTAP (100 µg DNA) (invention)
- 5 4) DSPC:DOPE (100 µg DNA) (reference)
- 5) DSPC:DOPE:DOTAP (50 µg DNA) (invention)
- 6) "Naked" DNA (100 µg DNA)
- 7) Control (no DNA)

**IgA extraction from foecal pellet**

10 Foecal pellets were collected from the cages of mice on days 0, 42, 55, 65 and 92. These pellets were suspended in PBS at a concentration of 100 mg/ml, subjected to centrifugation and the supernatant (containing IgA) was analysed.

**ELISA measurements**

15 ELISA was performed on fecal extracts to measure secretory IgA as for the first oral immunisation experiment. As for the first experiment, results in Figures 2 a-d represent the mean of duplicate measurements for each group of mice.

Oral immunisation experiment 3

20 This experiment aims to investigate further the influence of the liposome composition on liposome-mediated oral immunisation. Two factors were measured:

- 1) The influence of the combination of the presence of phosphatidylcholine and cholesterol in the bilayer.
- 25 2) The effect of substituting the cationic dioleoyl trimethylammonium propane with cholesterol 3β-N-(dimethyl-aminoethyl)carbamate (DC-Chol)

**Methodology:****Liposome preparation**

30 Liposomes with the following compositions were prepared using the Dehydration-Rehydration method (DRV), as described above in Example 1.



- 1) 32  $\mu$ moles of phosphatidylcholine (PC),  
16  $\mu$ moles of dioleoyl phosphatidylethanolamine (DOPE),  
8  $\mu$ moles of dioleoyl trimethylammonium propane (DOTAP).
- 5 2) 32  $\mu$ moles of distearoyl phosphatidylcholine (DSPC),  
16  $\mu$ moles of DOPE,  
8  $\mu$ moles of DOTAP.
- 10 3) 32  $\mu$ moles of PC,  
16  $\mu$ moles of cholesterol (CHOL),  
8  $\mu$ moles of DOTAP.
- 15 4) 32  $\mu$ moles of DSPC  
16  $\mu$ moles of cholesterol (CHOL)  
8  $\mu$ moles of Cholesterol 3 $\beta$ -N-(dimethyl-aminoethyl)carbamate  
(DC-CHOL).

600  $\mu$ g of pRc/CMV HBS plasmid DNA encoding for the S (small) region of Hepatitis B surface antigen (HBsAg; subtype ayw) was entrapped in the above liposome formulations. Entrapment efficiency for each of the compositions was 85-95%. The DRV diameters were in the same range as in Example 1.

### Immunisation

Groups of 4 female Blab/c mice (20-24g) were immunised orally with either "naked" (group 4) or liposome-entrapped (groups 1-4) DNA using animal feeding needles attached to a 1 ml syringe. Each mouse was fed with 100  $\mu$ g of DNA in a volume of 500  $\mu$ l of PBS on days 0, 28 and 38.

### Immunisation groups:

- 1) PC:DOPE:DOTAP (100  $\mu$ g DNA)
- 2) DSPC:DOPE:DOTAP (100  $\mu$ g DNA)
- 30 3) PC:CHOL:DOTAP (100  $\mu$ g DNA)
- 4) DSPC:DOPE:DC-Chol (100  $\mu$ g DNA)

5) "Naked" DNA (100 µg DNA)

**IgA extraction from fecal pellet**

Fecal pellets were collected from the cages of mice on days 0, 30, 45, 60, 70.

5 These pellets were in PBS at a concentration of 100 mg/ml, subjected to centrifugation and the supernatant (containing IgA) was analysed.

**ELISA measurements**

ELISA was done on fecal extracts to measure secretory IgA. Plates were coated with the S (small) region of Hepatitis B surface antigen (HBsAg; subtype ayw), blocked with 1% BSA to avoid nonspecific binding and then pellet extracts added in duplicate (undiluted). Horseradish peroxidase-conjugated goat anti-mouse IgA was added, followed by o-phenylenediamine substrate. Absorbance at 450 nm was measured. Results represent mean of duplicate measurements for each group of mice.

15 **Results**

Excreted IgA immune responses measured 60 and 70 days after the first dose are shown in figs 1 and 2 respectively. Results show DRV composed DPSC:DOPE:DOTAP enhanced the highest responses in orally immunised mice at both time points. Replacement of the cationic lipid DOTAP with DC-CHOL in the liposome entrapped DNA results in lower anti-HBsAg IgA immune responses. Further, liposomes composed of PC:CHOL:DOTAP were also less effective than those composed of DSPC:DOPE:DOTAP in mediating immune responses.

Conclusions

25 The conclusions to be drawn from Examples 1 to 3 are that the experiments are repeatable. Furthermore it appears that relatively low levels of entrapped DNA provide adequate transfection rates for an immune response (comparing groups 1 and 5 of Example 2). The saturated lipids seem to produce liposomes having better performance.

#### Example 4

#### Reporter gene expression after oral dosing

##### **Aim**

To compare levels of gene expression in mesenteric lymph node after  
5 oral dosing of mice with either naked or liposome-entrapped plasmid DNA  
encoding fluorescent green protein reporter gene (pCMV.efgp). If the  
reporter gene is expressed, as indicated by visible green protein in  
recovered lymph nodes, this is an indication that the DNA reaches the  
mesenteric lymph nodes and is there endocytosed and expressed. Antigen  
10 presenting cells are located in the lymph nodes, the target for gene vaccines  
to generate an immune response.

##### **Methodology:**

##### **Liposome preparation**

Liposomes composed of 32  $\mu$ moles of DSPC, 16  $\mu$ moles of DOPE, 8  
15  $\mu$ moles of DOTAP were prepared using the Dehydration-Rehydration  
method (DRV) as described for example 1 and 600  $\mu$ g of pCMV.efgp plasmid  
DNA entrapped.

##### **Dosing and measurement of gene expression**

2 female Balb/c mice (20-24g) were dosed orally with either "naked"  
20 or liposome-entrapped DNA using animal feeding needles attached to a 1 ml  
syringe. Each mouse was fed with 100  $\mu$ g of DNA in a volume of 500  $\mu$ l of  
PBS. 44 h after dosing, mesenteric lymph nodes were collected from dosed  
and control (naive) mice. The freshly collected lymph nodes were adhered  
to Cryostat chucks using Tissue-Teck (Miles Inc, USA), then frozen in liquid  
25 nitrogen. Sections were cut at 20  $\mu$ m in a Slee Cryostat. Images were  
captured under Nikon microphoto Microscope, using incident fluorescence  
and Kodak ectachrome 4000 ASA.

##### **Results and Conclusions**

Higher levels of the plasmid encoded fluorescent green protein can  
30 be seen in the mesenteric lymph nodes of mice dosed with liposome-  
entrapped pCMV.efgp (Fig 4a) compared to those which received naked

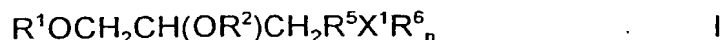
pCMV.efgp (Fig 3b) and background levels as shown in lymph node sections taken from naive mice (Fig 3c). From this it may be concluded that orally administered DNA is cleared to the mesenteric lymph node and that the rate of expression of reporter gene in the mesenteric lymph node is increased by

5 encapsulation in cationic liposomes comprising saturated lipids. This is consistent with the results showing the increase in immune response by entrapment in cationic liposomes formed from saturated lipids.

**CLAIMS**

1. An oral vaccine comprising a nucleic acid operatively encoding an antigen complexed with or entrapped within liposomes formed from liposome forming components including

- 5 a) at least one cationic compound having the general formula I,



in which  $R^1$  and  $R^2$  are the same or different and are selected from groups of the formula  $CH_3(CH_2)_a(CH=CH-CH_2)_b(CH_2)_c(CO)_d-$

- 10 in which b is 0 to 6, a and c are each selected from 0-23 and (a + c + 3b) is in the range 12-23 and d is 0 or 1;

$R^5$  is a bond or a  $C_{1-8}$  alkanediyl group;

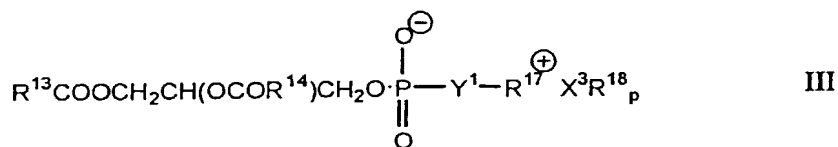
$X^1$  is N, P or S;

n is 3 where  $X^1$  is N or P and is 2 where  $X^1$  is S; and

- 15 the groups  $R^6$  are the same or different and are selected from hydrogen,  $C_{1-8}$  alkyl,  $C_{6-12}$  aryl or aralkyl, or two or three of the groups  $R^6$  together with  $X^1$  may form a saturated or unsaturated heterocyclic group having 5 to 7 ring atoms;

b) at least one zwitterionic phospholipid having the general formula II

20



- 25 in which  $R^3$  and  $R^4$  are the same or different and are selected from groups of the formula  $CH_3(CH_2)_f(CH=CH-CH_2)_g(CH_2)_h-$

in which f is 0 to 6, each of e and g are 0 to 23 and e + g + 3f is in the range 12 to 23;

$R^7$  is a  $C_{1-8}$  alkanediyl group;

Y is -O- or a bond;

- 30  $X^2$  is N, P or S;

m is 3 when  $X^2$  is N or P and is 2 when  $X^2$  is S; and

the groups  $R^8$  are the same or different and are selected from the group consisting of hydrogen,  $C_{1-8}$  alkyl,  $C_{6-11}$  aryl or aralkyl, or two or three of the groups  $R^8$  together with  $X^3$  may form a saturated or unsaturated heterocyclic group having 5 to 7 ring atoms;

5 provided that in at least one of the groups  $R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$ , b or f, as the case may be, is 0.

2. A vaccine according to claim 1 in which  $R^1=R^2$  and  $R^3=R^4$ .

3. A vaccine according to claim 2 in which  $R^1$  and  $R^2$  represent a different group to  $R^3$  and  $R^4$ .

10 4. A vaccine according to claim 2 and claim 3 in which in  $R^1$  and  $R^2$   $b=1$  and in which  $(a + c)$  is in the range 10-20.

5. A vaccine according to any of claims 2 to 4 in which  $d = 0$ .

6. A vaccine according to any of claims 2 to 5 in which  $f = 0$ .

7. A vaccine according to any preceding claim in which  $X^1$  is N  
15 and in which the  $R^6$  groups are all  $C_{1-4}$  alkyl.

8. A vaccine according to any preceding claim which comprises two zwitterionic phospholipids each having the formula II, in which Y is O, and  $X^2$  is N, and the groups  $R^8$  of the first phospholipid are all hydrogen and the groups  $R^8$  of the second phospholipid and all  $C_{1-4}$  alkyl, preferably  
20 methyl.

9. A vaccine according to claim 8 in which, in each phospholipid Y is O and  $R^7$  is  $(CH_2)_h$  in which h is 2 or 3.

10. A vaccine according to claim 8 or claim 9 in which the groups  $R^3$  and  $R^4$  of the first phospholipid are the same and each is a group in which  
25  $f=1$  and  $(e + g)$  is in the range 10 to 20, preferably 12 to 14.

11. A vaccine according to any of claims 8 to 10 in which the groups  $R^3$  and  $R^4$  of the second phospholipid are the same and each is a group in which  $f=0$  and  $e + g$  is in the range 15 to 23, preferably 15-17.

12. An oral vaccine comprising a nucleic acid encoding an antigen  
30 complexed to or entrapped within liposomes formed from liposome forming components including at least one glycerolipid, at least one cationic

compound and at least one zwitterionic phospholipid characterised in that at least one glycerolipid is an O'O-dialkanoyl or O,O'-dialkyl phospholipid. —  $\gamma$

13. A vaccine according to claim 12 in which the glycerolipid is a compound of the general formula II defined in claim 1 in which f is 0 in both  $R^3$  and  $R^4$ .

14. An oral vaccine comprising a nucleic acid encoding an antigen complexed to and/or entrapped within liposomes formed from liposome forming components including at least one cationic compound and at least one zwitterionic phospholipid characterised in that the liposome forming components include at least 25 mole%, preferably at least 50 mole%, of components which individually have a transition temperature of more than 40°C. —  $z$

15. A vaccine according to any of claims 12 to 14 in which the zwitterionic phospholipid is selected from the group consisting of distearoylphosphatidylcholine, distearoylphosphatidylethanolamine, dipalmitoylphosphatidylcholine, dipalmitoylphosphatidylethanolamine and mixtures thereof.

16. A vaccine according to any of claims 12 to 15 in which the cationic compound is a compound of the general formula I as defined in claim 1.

17. A vaccine according to any of claims 12 to 15 in which the cationic compound is DC-cholesterol.

18. A method in which a human or a non-human animal is vaccinated by administering a vaccine according to any preceding claim orally whereby an immune response to the encoded antigen is generated.

19. A method of entrapping polynucleotide into liposomes involving the steps of:

- i) forming an aqueous suspension comprising naked polynucleotide, which operatively encodes an immunogenic polypeptide useful to induce a desired immune response in a human or animal subject, and preformed liposomes formed of

liposome forming components as defined in claim 1, claim 12 or claim 14,

- ii) freeze-drying or spray-drying the suspension, and
- iii) rehydrating the product of step ii) to form dehydration/rehydration vesicles.

5

20. A method according to claim 19 comprising the further steps of:

- iv) subjecting the aqueous suspension of dehydration/rehydration vesicles from step iii to microfluidization to control their size; and

10

- v) optionally separating non entrapped polynucleotide from liposomes.



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(57) Abstract: An oral vaccine comprises liposomes and complexed or, preferably, entrapped DNA operatively encoding an antigen, in which the liposomes are formed from components including cationic compounds and zwitterionic phospholipids. The hydrophobic groups within the liposome forming compounds must include at least one group which is saturated. This is believed to raise the transition temperature, rendering the liposomes more stable when delivered orally. The compositions have been found to give detectable increased in IgA levels, secreted immunoglobulins of importance in efficacious oral vaccine delivery.

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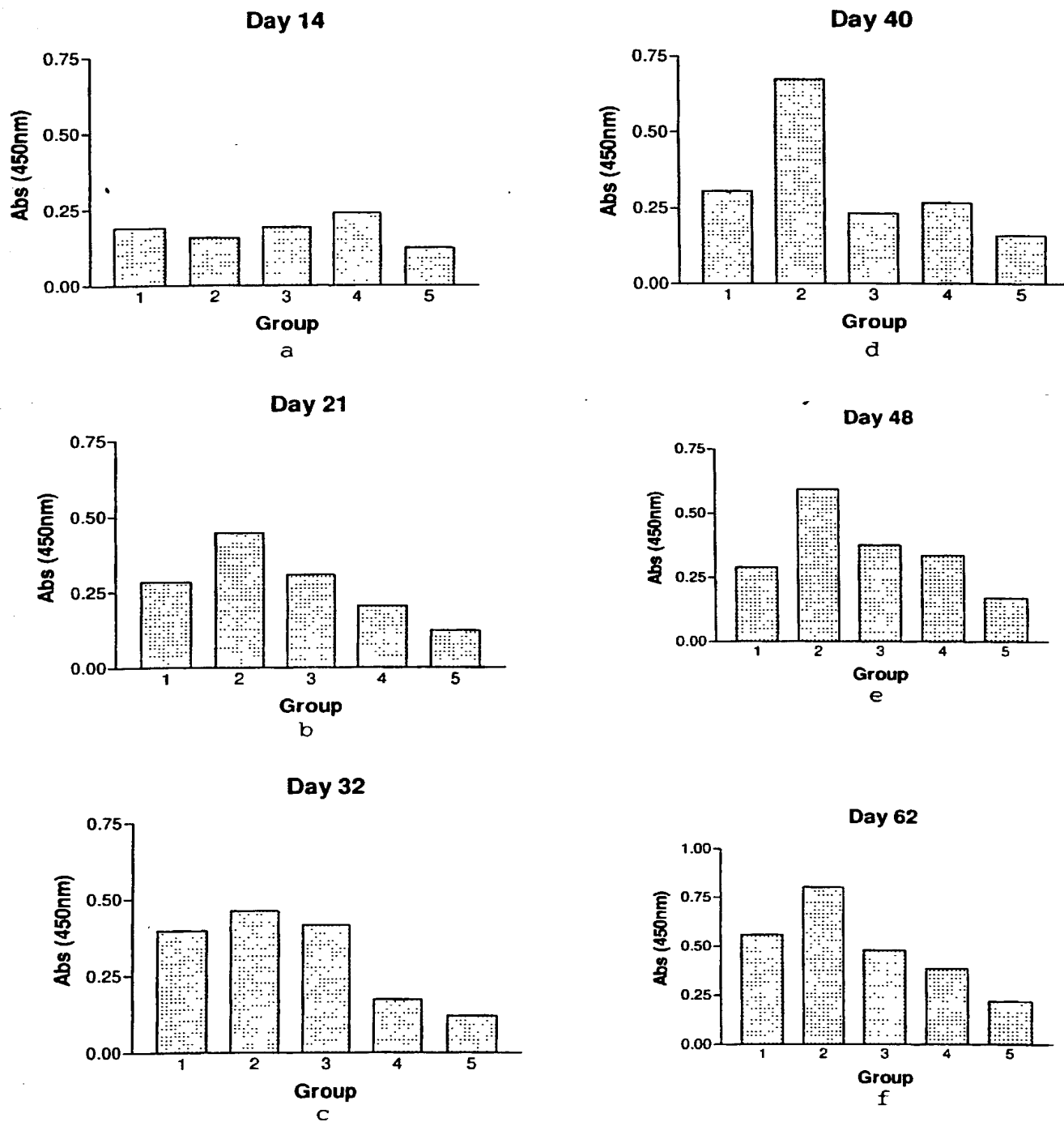


Fig. 1

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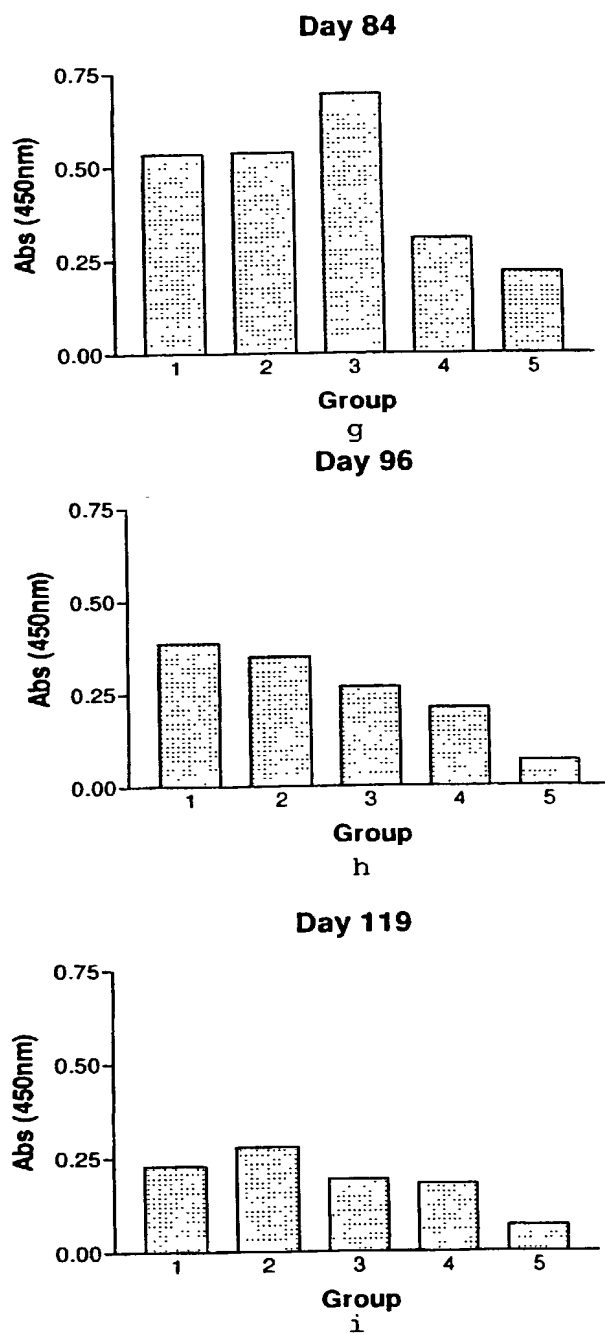


Fig. 1 cont.....

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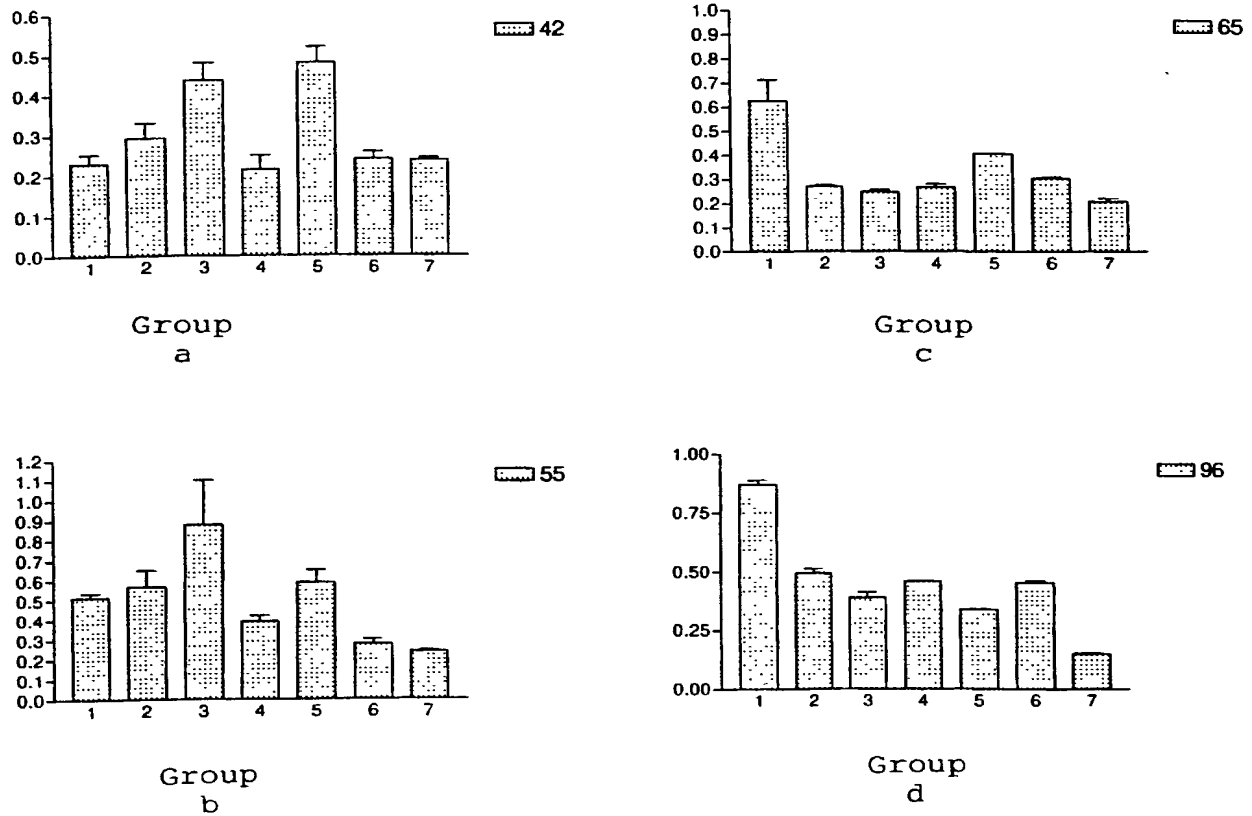
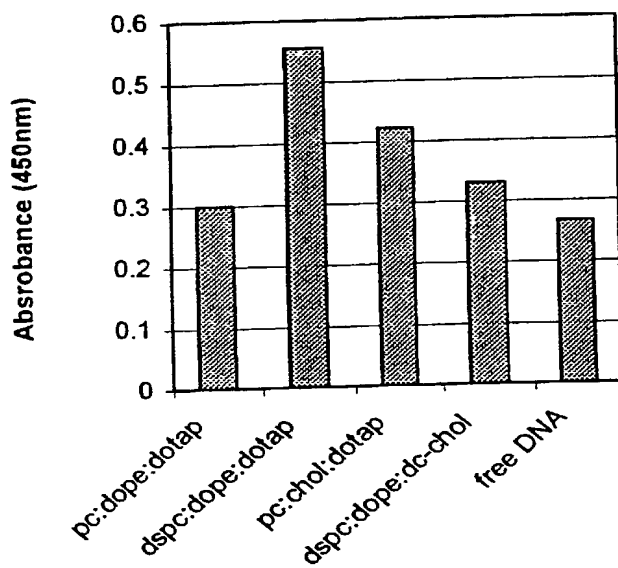


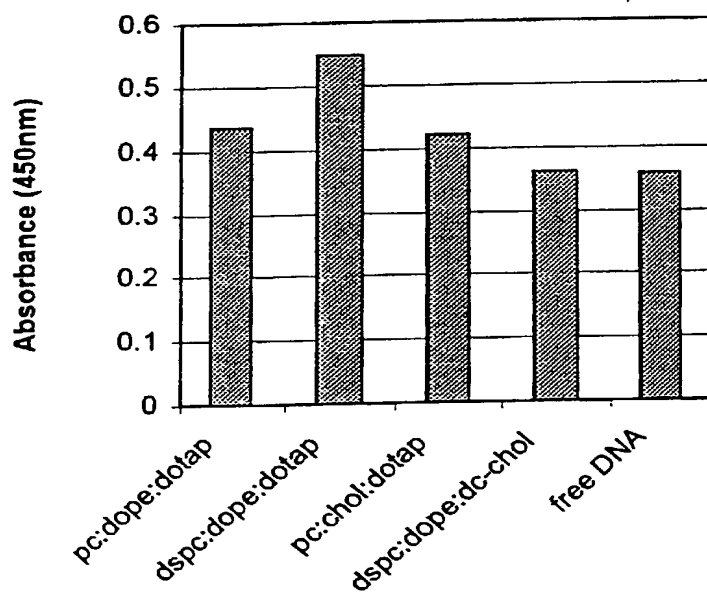
Fig. 2

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60 days

Fig. 3a



70 days

Fig. 3b

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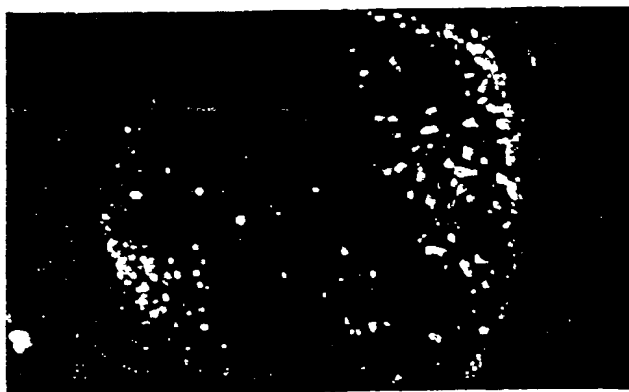


Fig. 4a



Fig. 4b

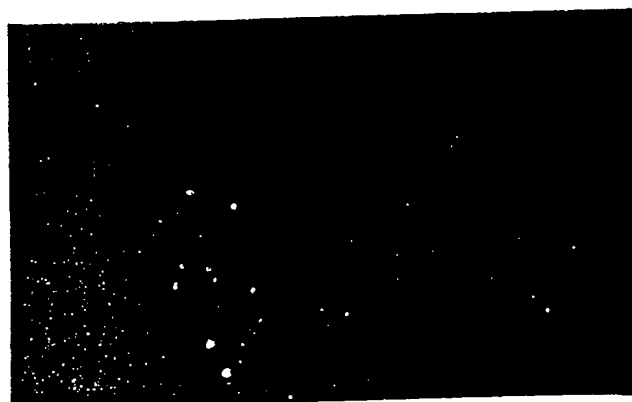


Fig. 4c

DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of subject matter which is claimed and for which a patent is sought on an invention entitled  
**LIPOSOME-ENTRAPPED DNA ORAL VACCINES**

the specification of which ☐ is attached hereto or

☐ was filed on 02 OCT 2000 as United States Application Number or PCT International Application Number PCT/GB00/03773 and was amended on 20 March 2001 and 16 January 2002 (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for a patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

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As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C 1001 and that such willful false statements may jeopardise the validity of the application or any patent issued thereon.

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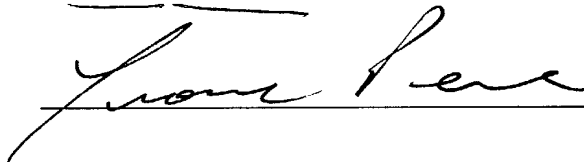
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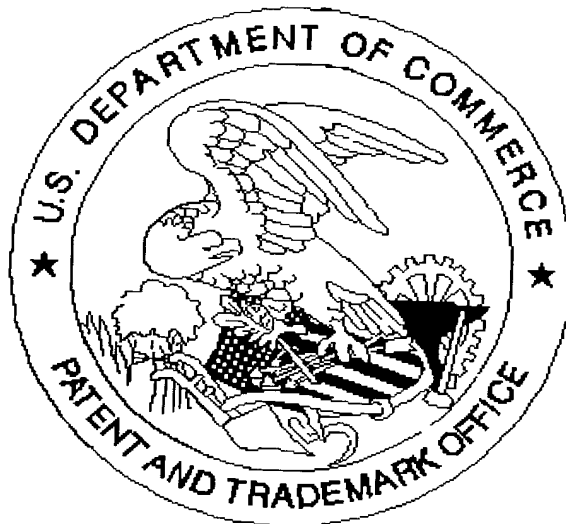
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